

**House File 2212 - Introduced**

HOUSE FILE 2212  
BY RANTS

**A BILL FOR**

1 An Act relating to state government reorganization and  
2 including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

REBUILD IOWA OFFICE

1  
2  
3 Section 1. Section 16.191, subsection 2, paragraph e, Code  
4 Supplement 2009, is amended to read as follows:

5 e. ~~The executive director of the rebuild Iowa office~~  
6 ~~or the director's designee until June 30, 2011, and then~~  
7 ~~the~~ administrator of the homeland security and emergency  
8 management division of the department of public defense or the  
9 administrator's designee.

10 Sec. 2. Section 103A.8C, subsection 1, Code Supplement  
11 2009, is amended to read as follows:

12 1. The commissioner, after consulting with and receiving  
13 recommendations from the department of public defense, and the  
14 department of natural resources, ~~and the rebuild Iowa office,~~  
15 shall adopt rules pursuant to chapter 17A specifying standards  
16 and requirements for design and construction of safe rooms  
17 and storm shelters. In developing these standards, the  
18 commissioner shall consider nationally recognized standards.  
19 The standards and requirements shall be incorporated into the  
20 state building code established in section 103A.7, but shall  
21 not be interpreted to require the inclusion of a safe room or  
22 storm shelter in a building construction project unless such  
23 inclusion is expressly required by another statute or by a  
24 federal statute or regulation. However, if a safe room or  
25 storm shelter is included in any building construction project  
26 which reaches the design development phase on or after January  
27 1, 2011, compliance with the standards developed pursuant to  
28 this section shall be required.

29 Sec. 3. Section 466B.3, subsection 4, paragraph n, Code  
30 Supplement 2009, is amended by striking the paragraph.

31 Sec. 4. 2009 Iowa Acts, chapter 169, section 10, subsection  
32 6, is amended to read as follows:

33 6. a. This section is repealed June 30, 2011.

34 b. On July 1, 2010, the rebuild Iowa office shall cease  
35 functioning and dissolve, and the homeland security and

1 emergency management division of the department of public  
2 defense shall assume all duties of the rebuild Iowa office  
3 designated in this section.

4 Sec. 5. 2009 Iowa Acts, chapter 181, section 25, is amended  
5 to read as follows:

6 SEC. 25. REBUILD IOWA OFFICE. There is appropriated from  
7 the general fund of the state to the rebuild Iowa office for  
8 the fiscal year beginning July 1, 2009, and ending June 30,  
9 2010, the following amount, or so much thereof as is necessary,  
10 to be used for the purposes designated:

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:

|          |      |         |
|----------|------|---------|
| 14 ..... | \$   | 198,277 |
| 15 ..... | FTEs | 12.00   |

16 It is the intent of the general assembly that, pursuant to  
17 2009 Iowa Acts, chapter 169, House File 64, as amended by this  
18 2010 Iowa Act, the rebuild Iowa office shall ~~be repealed~~ cease  
19 functioning and dissolve effective ~~June 30, 2011~~ July 1, 2010,  
20 and shall not receive an appropriation from the general fund  
21 of the state after that date.

22 DIVISION II

23 OFFICE OF DRUG CONTROL POLICY

24 Sec. 6. Section 80.8, subsection 3, paragraph a, Code 2009,  
25 is amended to read as follows:

26 a. The salaries of peace officers and employees of the  
27 department and the expenses of the department shall be provided  
28 for by a legislative appropriation, except the salary of the  
29 drug policy coordinator shall be fixed by the governor as  
30 provided in section 80E.1. The compensation of peace officers  
31 of the department shall be fixed according to grades as to rank  
32 and length of service by the commissioner with the approval of  
33 the department of administrative services, unless covered by a  
34 collective bargaining agreement that provides otherwise.

1 Sec. 7. Section 80.9, Code 2009, is amended by adding the

2 following new subsection:

3 NEW SUBSECTION. 10. The department shall receive and review  
4 the budget submitted by the drug policy coordinator and assist  
5 the drug policy coordinator in directing the governor's office  
6 of drug control policy pursuant to section 80E.1.

7 Sec. 8. Section 80.17, subsection 1, Code 2009, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. g. Office of drug control policy.

10 Sec. 9. Section 80E.1, subsection 1, Code 2009, is amended  
11 to read as follows:

12 1. The office of drug control policy is established in the  
13 department of public safety. A drug policy coordinator shall  
14 be appointed by the governor, subject to confirmation by the  
15 senate, and shall serve at the pleasure of the governor. The  
16 governor shall fill a vacancy in the office in the same manner  
17 as the original appointment was made. The coordinator shall be  
18 selected primarily for administrative ability. The coordinator  
19 shall not be selected on the basis of political affiliation  
20 and shall not engage in political activity while holding the  
21 office. The salary of the coordinator shall be fixed by the  
22 governor.

23 Sec. 10. Section 80E.1, subsection 2, paragraph a, Code  
24 2009, is amended to read as follows:

25 a. Direct the ~~governor's~~ office of drug control policy,  
26 and coordinate and monitor all statewide narcotics enforcement  
27 efforts, coordinate and monitor all state and federal substance  
28 abuse treatment grants and programs, coordinate and monitor all  
29 statewide substance abuse prevention and education programs  
30 in communities and schools, and engage in such other related  
31 activities as required by law. The coordinator shall work in  
32 coordinating the efforts of the department of corrections, the  
33 department of education, the Iowa department of public health,  
34 ~~the department of public safety,~~ and the department of human  
35 services. The coordinator shall assist in the development  
1 and implementation of local and community strategies to fight

2 substance abuse, including local law enforcement, education,  
3 and treatment activities.

4 Sec. 11. Section 124.101, subsection 21, Code Supplement  
5 2009, is amended to read as follows:

6 21. "*Office*" means the ~~governor's~~ office of drug control  
7 policy, as referred to in section 80E.1.

8 Sec. 12. Section 135.130, subsection 2, Code 2009, is  
9 amended to read as follows:

10 2. A substance abuse treatment facility advisory council  
11 is established within the department to advise and make  
12 recommendations to the director regarding the establishment  
13 and operation of a facility for persons with a substance  
14 abuse problem who are on probation and to assist with the  
15 implementation of treatment programs that are proven to  
16 be effective for offenders. The substance abuse treatment  
17 facility advisory council shall consist of the directors of the  
18 eight judicial district departments of correctional services  
19 and one representative each from the judicial branch, the Iowa  
20 department of public health, the department of corrections, and  
21 the ~~governor's~~ office of drug control policy.

22 Sec. 13. Section 216A.132, subsection 1, paragraph b, Code  
23 2009, is amended to read as follows:

24 b. The departments of human services, corrections, and  
25 public safety, the division on the status of African-Americans,  
26 the Iowa department of public health, the chairperson of  
27 the board of parole, the attorney general, the state public  
28 defender, the ~~governor's~~ office of drug control policy, and  
29 the chief justice of the supreme court shall each designate a  
30 person to serve on the council. The person appointed by the  
31 Iowa department of public health shall be from the departmental  
32 staff who administer the comprehensive substance abuse program  
33 under chapter 125.

34 Sec. 14. Section 216A.140, subsection 5, paragraph h, Code  
35 Supplement 2009, is amended to read as follows:

1 h. ~~Governor's office~~ Office of drug control policy.

2 Sec. 15. Section 602.8108, subsection 4, Code Supplement  
3 2009, is amended to read as follows:

4 4. The clerk of the district court shall remit all moneys  
5 collected from the drug abuse resistance education surcharge  
6 provided in section 911.2 to the state court administrator  
7 for deposit in the general fund of the state and the amount  
8 deposited is appropriated to the ~~governor's~~ office of drug  
9 control policy for use by the drug abuse resistance education  
10 program and other programs directed for a similar purpose.

11 DIVISION III

12 ALCOHOLIC BEVERAGES DIVISION

13 Sec. 16. Section 22.7, subsection 24, Code Supplement 2009,  
14 is amended to read as follows:

15 24. Records of purchases of alcoholic liquor from  
16 the alcoholic beverages division of the department of  
17 ~~commerce~~ revenue which would reveal purchases made by an  
18 individual class "E" liquor control licensee. However, the  
19 records may be revealed for law enforcement purposes or for the  
20 collection of payments due the division pursuant to section  
21 123.24.

22 Sec. 17. Section 123.3, subsection 14, Code 2009, is amended  
23 to read as follows:

24 14. "*Division*" means the alcoholic beverages division of the  
25 department of ~~commerce~~ revenue established by this chapter.

26 Sec. 18. Section 123.4, Code 2009, is amended to read as  
27 follows:

28 **123.4 Alcoholic beverages division created.**

29 An alcoholic beverages division is created within the  
30 department of ~~commerce~~ revenue to administer and enforce the  
31 laws of this state concerning beer, wine, and alcoholic liquor.

32 Sec. 19. Section 123.14, subsection 2, Code 2009, is amended  
33 to read as follows:

34 2. The county attorney, the county sheriff and the  
35 sheriff's deputies, and the police department of every city,  
1 and the alcoholic beverages division of the department of

2 ~~commerce~~ revenue, shall be supplementary aids to the department  
3 of public safety. Any neglect, misfeasance, or malfeasance  
4 shown by any peace officer included in this section shall be  
5 sufficient cause for the peace officer's removal as provided by  
6 law. This section shall not be construed to affect the duties  
7 and responsibilities of any county attorney or peace officer  
8 with respect to law enforcement.

9 Sec. 20. Section 123.53, subsections 4, 5, and 6, Code  
10 Supplement 2009, are amended to read as follows:

11 4. The treasurer of state shall, each quarter, prepare  
12 an estimate of the gaming revenues and of the moneys to be  
13 deposited in the beer and liquor control fund that will become  
14 available during the remainder of the appropriate fiscal year  
15 for the purposes described in subsection 3. The department of  
16 management, the department of inspections and appeals, and the  
17 department of ~~commerce~~ revenue shall take appropriate actions  
18 to provide that the sum of the amount of gaming revenues  
19 available to be deposited into the revenue bonds debt service  
20 fund during a fiscal year and the amount of moneys to be  
21 deposited in the beer and liquor control fund available to  
22 be deposited into the revenue bonds debt service fund during  
23 such fiscal year will be sufficient to cover any anticipated  
24 deficiencies.

25 5. After any transfer provided for in subsection 3 is  
26 made, the department of ~~commerce~~ revenue shall transfer into a  
27 special revenue account in the general fund of the state, a sum  
28 of money at least equal to seven percent of the gross amount  
29 of sales made by the division from the beer and liquor control  
30 fund on a monthly basis but not less than nine million dollars  
31 annually. Of the amounts transferred, two million dollars,  
32 plus an additional amount determined by the general assembly,  
33 shall be appropriated to the Iowa department of public health  
34 for use by the staff who administer the comprehensive substance  
35 abuse program under chapter 125 for substance abuse treatment  
1 and prevention programs. Any amounts received in excess of the

2 amounts appropriated to the Iowa department of public health  
3 for use by the staff who administer the comprehensive substance  
4 abuse program under chapter 125 shall be considered part of the  
5 general fund balance.

6 6. After any transfers provided for in subsections 3 and  
7 5, the department of ~~commerce~~ revenue shall transfer to the  
8 division from the beer and liquor control fund and before any  
9 other transfer to the general fund, an amount sufficient to pay  
10 the costs incurred by the division for collecting and properly  
11 disposing of the liquor containers.

12 Sec. 21. Section 142A.3, subsection 5, paragraph e, Code  
13 Supplement 2009, is amended to read as follows:

14 e. The alcoholic beverages division of the department of  
15 ~~commerce~~ revenue.

16 Sec. 22. Section 142A.4, subsection 14, Code Supplement  
17 2009, is amended to read as follows:

18 14. Approve contracts entered into with the alcoholic  
19 beverages division of the department of ~~commerce~~ revenue, to  
20 provide for enforcement of tobacco laws and regulations.

21 Sec. 23. Section 142A.5, subsection 1, paragraph e, Code  
22 2009, is amended to read as follows:

23 e. Enter into contracts with the alcoholic beverages  
24 division of the department of ~~commerce~~ revenue, to provide  
25 enforcement of tobacco laws and regulations. Such contracts  
26 shall require that enforcement efforts include training of  
27 local authorities who issue retailer permits and education of  
28 retailers.

29 Sec. 24. Section 321.19, subsection 1, unnumbered paragraph  
30 2, Code 2009, is amended to read as follows:

31 The department shall furnish, on application, free of  
32 charge, distinguishing plates for vehicles thus exempted,  
33 which plates except plates on state patrol vehicles shall bear  
34 the word "official" and the department shall keep a separate  
35 record. Registration plates issued for state patrol vehicles,  
1 except unmarked patrol vehicles, shall bear two red stars

2 on a yellow background, one before and one following the  
3 registration number on the plate, which registration number  
4 shall be the officer's badge number. Registration plates  
5 issued for county sheriff's patrol vehicles shall display one  
6 seven-pointed gold star followed by the letter "S" and the call  
7 number of the vehicle. However, the director of the department  
8 of administrative services or the director of transportation  
9 may order the issuance of regular registration plates for any  
10 exempted vehicle used by peace officers in the enforcement  
11 of the law, persons enforcing chapter 124 and other laws  
12 relating to controlled substances, persons in the department of  
13 justice, the alcoholic beverages division of the department of  
14 ~~commerce~~ revenue, disease investigators of the Iowa department  
15 of public health, the department of inspections and appeals,  
16 and the department of revenue, who are regularly assigned to  
17 conduct investigations which cannot reasonably be conducted  
18 with a vehicle displaying "official" state registration plates,  
19 persons in the Iowa lottery authority whose regularly assigned  
20 duties relating to security or the carrying of lottery tickets  
21 cannot reasonably be conducted with a vehicle displaying  
22 "official" registration plates, persons in the department of  
23 economic development who are regularly assigned duties relating  
24 to existing industry expansion or business attraction, and  
25 mental health professionals or health care professionals who  
26 provide off-site or in-home medical or mental health services  
27 to clients of publicly funded programs. For purposes of sale  
28 of exempted vehicles, the exempted governmental body, upon the  
29 sale of the exempted vehicle, may issue for in-transit purposes  
30 a pasteboard card bearing the words "Vehicle in Transit", the  
31 name of the official body from which the vehicle was purchased,  
32 together with the date of the purchase plainly marked in at  
33 least one-inch letters, and other information required by the  
34 department. The in-transit card is valid for use only within  
35 forty-eight hours after the purchase date as indicated on the  
1 bill of sale which shall be carried by the driver.

2 Sec. 25. Section 453A.2, subsection 7, Code 2009, is amended  
3 to read as follows:

4 7. A tobacco compliance employee training fund is created in  
5 the office of the treasurer of state. The fund shall consist  
6 of civil penalties assessed by the Iowa department of public  
7 health under section 453A.22 for violations of this section.  
8 Moneys in the fund are appropriated to the alcoholic beverages  
9 division of the department of ~~commerce~~ revenue and shall be  
10 used to develop and administer the tobacco compliance employee  
11 training program under section 453A.5. Moneys deposited in the  
12 fund shall not be transferred, used, obligated, appropriated,  
13 or otherwise encumbered except as provided in this subsection.  
14 Notwithstanding section 8.33, any unexpended balance in the  
15 fund at the end of the fiscal year shall be retained in the  
16 fund.

17 Sec. 26. Section 453A.5, subsection 1, Code 2009, is amended  
18 to read as follows:

19 1. The alcoholic beverages division of the department of  
20 ~~commerce~~ revenue shall develop a tobacco compliance employee  
21 training program not to exceed two hours in length for  
22 employees and prospective employees of retailers, as defined  
23 in sections 453A.1 and 453A.42, to inform the employees about  
24 state and federal laws and regulations regarding the sale of  
25 cigarettes and tobacco products to persons under eighteen years  
26 of age and compliance with and the importance of laws regarding  
27 the sale of cigarettes and tobacco products to persons under  
28 eighteen years of age.

29 Sec. 27. Section 455C.3, subsections 2 and 5, Code 2009, are  
30 amended to read as follows:

31 2. A distributor shall accept and pick up from a dealer  
32 served by the distributor or a redemption center for a  
33 dealer served by the distributor at least weekly, or when the  
34 distributor delivers the beverage product if deliveries are  
35 less frequent than weekly, any empty beverage container of the  
1 kind, size and brand sold by the distributor, and shall pay to

2 the dealer or person operating a redemption center the refund  
3 value of a beverage container and the reimbursement as provided  
4 under section 455C.2 within one week following pickup of the  
5 containers or when the dealer or redemption center normally  
6 pays the distributor for the deposit on beverage products  
7 purchased from the distributor if less frequent than weekly.  
8 A distributor or employee or agent of a distributor is not in  
9 violation of this subsection if a redemption center is closed  
10 when the distributor attempts to make a regular delivery or a  
11 regular pickup of empty beverage containers. This subsection  
12 does not apply to a distributor selling alcoholic liquor  
13 to the alcoholic beverages division of the department of  
14 ~~commerce~~ revenue.

15 5. The alcoholic beverages division of the department  
16 of ~~commerce~~ revenue shall provide for the disposal of empty  
17 beverage containers as required under subsection 2. The  
18 division shall give priority consideration to the recycling  
19 of the empty beverage containers to the extent possible,  
20 before any other appropriate disposal method is considered or  
21 implemented.

22 Sec. 28. Section 546.2, subsection 3, paragraph e, Code  
23 2009, is amended by striking the paragraph.

24 Sec. 29. NEW SECTION. 421.2A Alcoholic beverages division.

25 An alcoholic beverages division is created within the  
26 department of revenue. The alcoholic beverages division shall  
27 enforce and implement chapter 123. The division is headed by  
28 the administrator of alcoholic beverages who shall be appointed  
29 pursuant to section 123.10. The alcoholic beverages commission  
30 shall perform duties within the division pursuant to chapter  
31 123.

32 Sec. 30. REPEAL. Section 546.9, Code 2009, is repealed.

33 Sec. 31. ALCOHOLIC BEVERAGES DIVISION — TRANSITION  
34 PROVISIONS.

35 1. In regard to updating references and format in the  
1 Iowa administrative code in order to correspond to the

2 transferring of the division from the department of commerce  
3 to the department of revenue as established by this division  
4 of this Act, the administrative rules coordinator and the  
5 administrative rules review committee, in consultation with the  
6 administrative code editor, shall jointly develop a schedule  
7 for the necessary updating of the Iowa administrative code.

8 2. Any replacement of signs, logos, stationery, insignia,  
9 uniforms, and related items that is made due to the effect of  
10 this division of this Act should be done as part of the normal  
11 replacement cycle for such items.

12 DIVISION IV

13 OFFICE OF ENERGY INDEPENDENCE AND IOWA POWER FUND

14 Sec. 32. Section 7E.5, subsection 1, paragraph q, Code  
15 Supplement 2009, is amended to read as follows:

16 q. The department of natural resources, created in section  
17 455A.2, which has primary responsibility for state parks and  
18 forests, protecting the environment, and managing energy, fish,  
19 wildlife, and land and water resources.

20 Sec. 33. Section 11.5B, subsection 15, Code 2009, is amended  
21 by striking the subsection.

22 Sec. 34. Section 15H.6, subsection 1, Code Supplement 2009,  
23 is amended to read as follows:

24 1. The Iowa commission on volunteer service, in  
25 collaboration with the department of natural resources, the  
26 department of workforce development, ~~the office of energy~~  
27 ~~independence~~, and the utilities board of the department of  
28 commerce, shall establish an Iowa green corps program. The  
29 commission shall work with the collaborating agencies and  
30 nonprofit agencies in developing a strategy for attracting  
31 additional financial resources for the program from other  
32 sources which may include but are not limited to utilities,  
33 private sector, and local, state, and federal government  
34 funding sources. The financial resources received shall be  
35 credited to the community programs account created pursuant to  
1 section 15H.5.

2 Sec. 35. Section 22.7, subsection 60, Code Supplement 2009,  
3 is amended by striking the subsection.

4 Sec. 36. Section 103A.8B, Code 2009, is amended to read as  
5 follows:

6 **103A.8B Sustainable design or green building standards.**

7 The commissioner, after consulting with and receiving  
8 recommendations from the department of natural resources  
9 ~~and the office of energy independence~~, shall adopt rules  
10 pursuant to chapter 17A specifying standards and requirements  
11 for sustainable design and construction based upon or  
12 incorporating nationally recognized ratings, certifications,  
13 or classification systems, and procedures relating to  
14 documentation of compliance. The standards and requirements  
15 shall be incorporated into the state building code established  
16 in section 103A.7, but in lieu of general applicability shall  
17 apply to construction projects only if such applicability is  
18 expressly authorized by statute, or as established by another  
19 state agency by rule.

20 Sec. 37. Section 268.6, subsection 2, Code Supplement 2009,  
21 is amended to read as follows:

22 2. The university is encouraged to cooperate with  
23 agricultural and energy efficiency advocates and governmental  
24 entities in administering the program, ~~including the office of~~  
25 ~~energy independence established pursuant to section 469.2.~~

26 Sec. 38. Section 455A.2, Code Supplement 2009, is amended  
27 to read as follows:

28 **455A.2 Department of natural resources.**

29 A department of natural resources is created, which has the  
30 primary responsibility for state parks and forests, protecting  
31 the environment, and managing energy, fish, wildlife, and land  
32 and water resources in this state.

33 Sec. 39. Section 455B.851, subsection 2, paragraph a,  
34 subparagraph (17), Code 2009, is amended by striking the  
35 subparagraph.

1 Sec. 40. Section 470.1, Code Supplement 2009, is amended by

2 adding the following new subsection:

3 NEW SUBSECTION. 1A. "*Department*" means the department of  
4 natural resources.

5 Sec. 41. Section 470.1, subsection 2, Code Supplement 2009,  
6 is amended to read as follows:

7 2. "*Director*" means the director of the ~~office of energy~~  
8 independence department of natural resources.

9 Sec. 42. Section 470.1, subsection 8, Code Supplement 2009,  
10 is amended by striking the subsection.

11 Sec. 43. Section 473.1, Code Supplement 2009, is amended by  
12 adding the following new subsection:

13 NEW SUBSECTION. 2A. "*Department*" means the department of  
14 natural resources.

15 Sec. 44. Section 473.1, subsection 3, Code Supplement 2009,  
16 is amended to read as follows:

17 3. "*Director*" means the director of the ~~office~~ department or  
18 a designee.

19 Sec. 45. Section 473.1, subsection 5, Code Supplement 2009,  
20 is amended by striking the subsection.

21 Sec. 46. REPEAL. Sections 469.1, 469.2, 469.5, 469.7, and  
22 469.8, Code 2009, are repealed.

23 Sec. 47. REPEAL. Sections 469.3, 469.4, 469.6, 469.9,  
24 469.10, and 469.11, Code Supplement 2009, are repealed.

25 Sec. 48. CODE EDITOR DIRECTIVE.

26 1. The Code editor is directed to change the words "*office*  
27 *of energy independence*" to "*department of natural resources*"  
28 in Code sections 7D.34, 7D.35, 8A.362, 72.5, 103A.8, 103A.27,  
29 159A.3, 159A.4, 159A.6B, 266.39C, 272C.2, 279.44, 323A.2,  
30 441.21, 476.6, and 476.63.

31 2. The Code editor is directed to change the word "*office*"  
32 to "*department*" in Code sections 470.3, 470.7, 473.7, 473.8,  
33 473.10, 473.13A, 473.15, 473.19, 473.19A, 473.20, 473.20A, and  
34 473.41.

35 Sec. 49. TRANSITION PROVISIONS — CONTINUATION OF GRANTS.

1 1. Any moneys remaining in any account or fund under the

2 control of the office of energy independence on the effective  
3 date of this division of this Act relative to the provisions of  
4 this division of this Act shall be transferred to a comparable  
5 fund or account under the control of the department of natural  
6 resources for such purposes. Notwithstanding section 8.33, the  
7 moneys transferred in accordance with this subsection shall  
8 not revert to the account or fund from which appropriated or  
9 transferred.

10 2. Any license, permit, or contract issued or entered into  
11 by the office of energy independence relative to the provisions  
12 of this division of this Act in effect on the effective date  
13 of this division of this Act shall continue in full force and  
14 effect pending transfer of such licenses, permits, or contracts  
15 to the department of natural resources.

16 3. Grants or loans awarded from the Iowa power fund pursuant  
17 to section 469.9 prior to the effective date of this division  
18 of this Act shall continue as provided by the terms of the  
19 grants or loans and shall be administered by the department of  
20 natural resources.

21 4. Federal funds utilized by the director of the office  
22 of energy independence prior to the effective date of  
23 this division of this Act to employ personnel necessary to  
24 administer the provisions of this division of this Act shall be  
25 applicable to the transfer of such personnel from the office of  
26 energy independence to the department of natural resources.

27 Sec. 50. TRANSITION PROVISIONS — EMERGENCY

28 RULEMAKING. Not later than July 1, 2010, the department of  
29 natural resources shall adopt administrative rules previously  
30 adopted by the office of energy independence relative to the  
31 provisions of this division of this Act in existence on the  
32 effective date of this division of this Act by emergency  
33 rulemaking pursuant to section 17A.4, subsection 3, and  
34 section 17A.5, subsection 2, paragraph "b". The rules shall  
35 be effective immediately upon filing unless a later date is  
1 specified in the rules. Any rules adopted in accordance with

2 this section shall also be published as a notice of intended  
3 action as provided in section 17A.4. Any rule, regulation,  
4 form, order, or directive promulgated by the office relative to  
5 the provisions of this division of this Act shall continue in  
6 full force and effect until such emergency rules are adopted.

7 Sec. 51. EFFECTIVE UPON ENACTMENT. The section of this  
8 division of this Act providing for emergency rulemaking, being  
9 deemed of immediate importance, takes effect upon enactment.

10

EXPLANATION

11 This bill reorganizes certain agencies by eliminating the  
12 rebuild Iowa office and the office of energy independence, and  
13 by transferring management of the alcoholic beverages division  
14 and the office of drug control policy.

15 Division I of the bill relates to the elimination of the  
16 rebuild Iowa office.

17 The rebuild Iowa office was created following the flooding  
18 in 2008. Currently, the rebuild Iowa office is scheduled to  
19 be abolished (sunset) on June 30, 2011. The bill provides  
20 that, on July 1, 2010, the office shall cease functioning and  
21 dissolve and the homeland security and emergency management  
22 division of the department of public defense shall assume the  
23 duties of the office until the sunset provision for the office  
24 takes effect on June 30, 2011. This division of the bill makes  
25 conforming amendments.

26 Division II of the bill transfers the administration of the  
27 governor's office of drug control policy from the office of  
28 the governor to the department of public safety. The division  
29 changes the name of governor's office of drug control policy to  
30 office of drug control policy.

31 The division requires the department of public safety to  
32 review the budget submitted by the drug policy coordinator and  
33 assist the drug policy coordinator in directing the governor's  
34 office of drug control policy pursuant to Code section 80E.1.

35 The division does not modify the appointment of the drug  
1 policy coordinator. Currently, the governor appoints the drug

2 policy coordinator, subject to confirmation by the senate, and  
3 the coordinator serves at the pleasure of the governor.

4 The division also does not modify the current duties of the  
5 drug policy coordinator to coordinate and monitor all statewide  
6 narcotics enforcement efforts, substance abuse treatment grants  
7 and programs, substance abuse prevention and education programs  
8 in communities and schools, and to engage in such other related  
9 activities as required by law.

10 Division III of the bill transfers the alcoholic beverages  
11 division from the department of commerce to the department of  
12 revenue.

13 Division IV of the bill repeals Code chapter 469, which  
14 provides for the establishment and administration of the office  
15 of energy independence, the Iowa power fund, and related  
16 renewable energy and energy efficiency projects, effective  
17 July 1, 2010. This division of the bill makes a number of  
18 conforming changes deleting references to the office of  
19 energy independence and the Iowa power fund, and changing  
20 administration of specified energy-efficiency related functions  
21 transferred to the office from the department of natural  
22 resources during the 2009 Legislative Session back to the  
23 department.

24 This division of the bill provides transition provisions  
25 regarding the transfer of moneys retained in any account or  
26 fund under the control of the office of energy independence  
27 on the division's effective date to the department, the  
28 continuation of any license, permit, or contract issued  
29 or entered into by the office relative to the division's  
30 provisions in effect on the division's effective date pending  
31 their transfer to the department, and the continuation of  
32 grants or loans awarded from the Iowa power fund prior to  
33 the division's effective date. Transition provisions are  
34 also included relating to the transfer of federal funds being  
35 utilized by the director of the office prior to the division's  
1 effective date to employ personnel necessary to administer the

2 provisions of the division to the department and relating to  
3 emergency rulemaking.

4     The section of this division of the bill relating to  
5 emergency rulemaking takes effect upon enactment and directs  
6 the department to adopt rules previously adopted by the office  
7 relative to the division's provisions by July 1, 2010.